



Montana Office of Public Instruction  
Denise Juneau Superintendent [www.opi.mt.gov](http://www.opi.mt.gov)

# Private School Participation in Title II, Part A

June 2, 2009

*The meeting will begin shortly.*



Private School Participation in Federal Programs  
Denise Juneau, Superintendent • Montana Office of Public Instruction • [www.opi.mt.gov](http://www.opi.mt.gov)

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# Private School Participation in Title II, Part A

June 2, 2009



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## Agenda for this Webinar

- NCLB services available to private schools
- Consultation requirements
- Title II, Part A specific requirements
- Disposal of materials purchased with Title V, Part A funds and sited in private schools
- Description of how the General Transferability and REAP-Flex authorities affect services to private schools

*Tomorrow there will be longer webinar  
about completing the Title IIA application.*



## Nomenclature to be used

**Verbally, these are used in this webinar:**

- Private – short for Private/Nonpublic.
- You – the public school district





## Why serve private schools?

- Because federal programs are supported with **tax dollars** all children and teachers are eligible to access these programs.
- NCLB **requires** equitable services be provided to private school students, teachers, and other educational personnel (depending upon the title program involved).



## Equitable Participation

### What does this mean?

- If a program is available to the public school students, then private school students who would have attended the qualifying public school are eligible to participate in the program as are their teachers.
- Services must equitable and should begin at the same time as the public school services.





## The key word is services

- No public funds are distributed to private schools.
  - Private schools receive **only services**.
  - Private schools cannot be reimbursed expenses.
- Public districts pay all bills on behalf of the participating private school.



## Covered NCLB Programs

- Title I, Part A—Improving Basic Programs
- Title I, Part B—Reading First
- Title I, Part B—Even Start Family Literacy
- Title I, Part C—Education of Migratory Children
- **Title II, Part A—Improving Teacher Quality**
- Title II B – Math and Science Partnerships
- Title II, Part D—Education Technology
- Title III, Part A—ELL/Emergency Immigrant
- Title IV, Part A—Safe and Drug-Free Schools
- Title IV, Part B—21<sup>st</sup> Century Learning Centers

**NOTE:** Title I has its own equitable provision requirements.  
All other title programs are covered by the Uniform Provisions in Title IX.  
Title IIA has specific restrictions regarding serving private schools.

- Websites for guidance on last slide -





## Process to Participate

- Public school districts must **invite** all private schools, including home schools, located within the public school boundaries to participate in federal programs.
  - Title IA has a different requirement.
- Private schools must submit the **Intent to Participate** forms by the spring deadline in order to qualify for services the following school year.



## Process to Participate *continued*

### Public school districts must:

- **Review** the **Intent to Participate** forms to determine which private schools wish to participate.
- **Contact** private schools that indicate an intent to participate and begin the consultation process in April.
- **Consult** with private school officials prior to submitting the federal grant application in the E-Grants system.





## Consultation

### Requirements of consultation between the public school and private schools during the design and development of the programs:

- Must be timely and meaningful.
  - Consultation must happen prior to the district making decisions to ensure the needs of the private school are considered when decisions being made.
- Must take place on an annual basis, and be documented by the district.
  - Public school district should complete a written affirmation form (required for Title IA) indicating the date the consultation took place between the public and private school officials. The affirmation of consultation should be signed by both the public and private school officials.



## Consultation *continued*

### Requirements of Consultation (continued):

- Consultation must continue **throughout** the year, to ensure that the needs of private school teachers and students are being met.
- Consultation is an **ongoing** process that can occur as phone calls, e-mails, or site visits.





## Consultation *continued*

### Consultation must cover:

- How the needs of private school students and teachers will be identified
- What services will be offered
- How and where the services will be provided



## Consultation *continued*

### Consultation must cover *(continued)*:

- The amount of funds available to serve private school students and teachers.
  - *To allow the private schools to better plan appropriately and make careful decisions with the public school district to serve their students.*
- The size and scope of the services to be provided.
  - *Public and private school should have a written plan of services to be provided.*
- Consideration of the views of the private school officials
  - *About the core content professional development needed.*





## Consultation *continued*

- **The public district maintains administrative control over services:**
  - District recruits, interviews and selects presenters who will provide services.
  - District must communicate effectively with private school officials.
    - Both must be clear about the services to be provided.
  - Services in the private school must begin at the same time that services begin in the public school.



## Consultation *continued*

### **Services offered to private schools must be:**

- Secular
- Neutral
- Non-ideological
- Provided independently of the private school or any religious organization
  - *Private school personnel may not be hired to provide services*





## Complaint Process

### If the private school has a complaint:

- If private school officials believe that
  - timely and meaningful consultation has not occurred, or
  - that the district did not give due consideration to their views
- The private school official should first contact the federal programs representative or superintendent at the public school district to discuss their concerns.
- In the event the concern is not resolved, the private school has the right to file a formal written complaint with the OPI.



## Complaint Process

### The formal written complaint should include:

- A statement that the district, other educational agency, or in some cases OPI, has violated a requirement of a federal statute or regulation that applies to a program requiring equitable participation.
- The specific requirement alleged to have been violated.
- The facts on which the complaint is based.
- The name and address of the complainant.
- The expected resolution of the alleged violation.
- The signature of the complainant.

A complaint should be sent directly to:

The Specific OPI Program Specialist, Office of Public Instruction  
P. O. Box 202501, Helena, MT 59620-2501





## Title II, Part A Improving Teacher Quality

### To what Title IIA services are private schools entitled?

- **Professional development** for **teachers** of **core** academic subjects is the only Title IIA activity available to private schools.

**Core academic subjects** are English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history and geography. (Note that "social studies" is not a core; only the underlined sections of social studies are cores.) [ESEA Title IX, Part A, Section 9101 Definitions, (11)].

A **teacher** is a person who provides instruction in the **core** academic subjects to K-12 students and maintains daily student attendance records. (Note that counselors and librarians are not included). [National Center for Education Statistics (NCES) definition]



## Title II, Part A Improving Teacher Quality

### All Title IIA Activities *(including professional development to private schools)*

- Are based upon a local needs assessment
- Are designed collaboratively by a local committee
- Are tied to challenging standards and are based upon scientific research
- Are targeted to low-performing students, teachers, and schools
- Improve student achievement





## Title II, Part A Improving Teacher Quality

### Activity 1: High Quality Professional Development to core content teachers in:

- Knowledge of core subjects taught
- Improving teaching practices
- Addressing the needs of students with different learning styles
- Improving student classroom behavior
- Understanding and using data and assessments to improve classroom practice
- Training core teachers in how to involve parents in the student's education



## Title II, Part A Improving Teacher Quality

### High quality professional development

- Meets district needs and goals
- Is ongoing and job-embedded
- Is not short term workshops or conferences
- Changes teaching practice
- Raises student achievement

See link to high quality professional development in E-Grants under Activity 1 of Title II, Part A and noted on the next slide.





## Title II, Part A *continued*

☒ **Activity 1 - Professional development** (Budget under Purpose Category 22 - Professional Development.)  
(Please review: Criteria for High Quality Professional Development activity using Title II, Part A funds)

a. The district will provide professional development for core teachers, principals, and paraprofessionals in the following core areas:

- |  |   |                                    |
|--|---|------------------------------------|
| <input checked="" type="checkbox"/> English, Reading and Language Arts | <input checked="" type="checkbox"/> Mathematics | <input type="checkbox"/> Science   |
| <input type="checkbox"/> Civics and Government                         | <input type="checkbox"/> History                | <input type="checkbox"/> Geography |
| <input type="checkbox"/> Foreign Languages                             | <input type="checkbox"/> Arts                   | <input type="checkbox"/> Economics |

b. The types of professional development topics funded with Title II, Part A will include:

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> Improve teaching practices           | <input type="checkbox"/> Alternative learning styles   | <input type="checkbox"/> Improving student behavior                  |
| <input checked="" type="checkbox"/> Early intervention strategies        | <input type="checkbox"/> Parent Involvement strategies | <input checked="" type="checkbox"/> Use of data to drive instruction |
| <input checked="" type="checkbox"/> Integrate technology into core areas | <input type="checkbox"/> Team-teaching strategies      | <input type="checkbox"/> Strategies to increase student achievement  |

Briefly describe. Include the professional development planned for any participating private/nonpublic schools. (1800 Character Maximum)

Public school teachers will receive training in integrating technology into core areas, curriculum alignment, and instructional effectiveness. Curricular content area teams will review and analyze instructional practices, assessments, and benchmark and standards alignments. Teachers from the two private schools will participate in early release activities and team meetings. The LEA will pay for private school teachers to attend workshops on reading and math interventions for struggling students.



## Title II, Part A *continued*

### Actual examples of descriptions from the current application:

- Public school teachers will receive training in integrating technology into the core areas, curriculum alignment, and instructional effectiveness. Curricular content teams will review and analyze instructional practices, assessments, and benchmarks and standards alignment. Teachers from the private school will participate in early release activities and team meetings. The LEA will pay for private school teachers to attend workshops in reading and math for struggling students.
- The private school principal attends the yearly planning meeting to provide input. Teachers from our private schools participate in trainings such as Overcoming Dyslexia, Thinking Math, and They Say No-Managing Resistance – all at the school district.





## Title II, Part A Improving Teacher Quality

### How can private school professional development be provided?

- Participation in scheduled professional development at the school district.
- Professional development services provided at the private school.
- Registration for a workshop.

**NOTE:** *The public district cannot simply invite the private school teachers to the professional development planned by the public district.*

*The public district must ensure that the training offered by the district meets the needs of the private school teachers.*

Governed by ESEA/NCLB Title IX, Uniform Provisions



## Title II, Part A *continued*

### How does the district determine the amount of funds required for equitable services?

- NCLB assumes that the public school district will use at least as many Title IIA funds for professional development as it used in state FY2002 under the former Eisenhower and Class Size Reduction programs.
- To ensure that the private schools receive at least as much professional development as they would have received in FY2002, NCLB requires that a “hold-harmless” amount be set aside for private schools.

*The equitable share is calculated on the Title IIA Budget Pages of the ESEA/NCLB Consolidated application in E-Grants.*





## Title II, Part A *continued*

### How does the district determine the amount of funds required for equitable services?

- To determine the per pupil allocation the district should divide the total amount allocated for professional development in the district (*Line 4*) by the total number of public and private school students (*Line 7*).
- This per-pupil amount should then be multiplied by the total number of students enrolled in private schools to arrive at the equitable share set aside for professional development for private school teachers participating in the program (*Line 9*).

*The equitable share is calculated on the Title IIA Budget Pages of the ESEA/NCLB Consolidated application in E-Grants.*



## Title II, Part A *continued*

### How does the district determine the amount of funds required for equitable services? (*continued*)

- Private schools are eligible for at least as many professional development services as they were eligible for in FY2002 under Class Size Reduction and Eisenhower. This is the “hold-harmless” amount (*Line 10*).
- The private school share is the greater of the “hold-harmless” and the equitable share of professional development (*Line 11*).

*The equitable share is calculated on the Title IIA Budget Pages of the ESEA/NCLB Consolidated application in E-Grants.*





## Title II, Part A *continued*

Overview/ Private/Nonpublic Equitable Share	Program Detail	Budget Page	Page Lock Control
Budget Detail		Property and Equipment	Budget Summary

### Private/Nonpublic Schools Share

Instruction

The amounts at the beginning of each line are the values used in, and the results of, the calculations the last time this page was saved. The amounts displayed in the second boxes on lines 1 through 4 are the current values for each of these variables and are the values that will be used in the calculations the next time the page is saved. The two amounts on each of these four lines must be equal in order to pass the consistency check. This will ensure that the page truly reflects the effects of any changes made in program or budget.

1. 137,718 Amount available for public and private/nonpublic schools used in last save of this page. Current Amount available: 137,718
2. 0 Budgeted Indirect Cost amount (from the Budget Detail page). Current Indirect Cost on the Budget Detail page: 0
3. 124,070 Budgeted public district expenditures for Class-Size Reduction, Recruitment, and Retention. Current sum of 10CSR, 10REC and 10RET on the Budget Detail page: 124,070
4. 13,648 Remaining funds for Professional Development (Line 1 - Line 2 - Line 3 calculated only on Save). Amount calculated with lines 1-3 current amounts: 13,648
- 5a. 118 Enter the number of participating elementary private/nonpublic students. (District must enter enrollment). (Click to see Private/Nonpublic Participation List - no enrollment data)
- 5b. 0 Enter the number of participating high school private/nonpublic students. (District must enter enrollment).
6. 907 Public District Enrollment (Sum of Fiscal Agent and all member LE counts if System or Consortium)
7. 1,025 Sum of Public District and Private/Nonpublic Enrollments (Line 5a + Line 5b + Line 6 calculated only on Save)
8. 0.665000 Proportion of Participating Private/Nonpublic School Enrollment Compared to Total Enrollment ((Line 5a + Line 5b) / Line 7 calculated only on Save)
9. 1,871 Equitable Share (Line 8 X Line 4 rounded to a whole dollar, calculated only on Save)
10. 1,338 Nonpublic Hold Harmless: Amount of services for which private/nonpublic schools were eligible in FY2002. (Sum of the following calculations for Elementary and High School amounts, calculated only on Save)  
FY 2002 Elementary Per Pupil Amount: 11.34 X Line 5a equals 1,338  
FY 2002 High School Per Pupil Amount: 6.94 X Line 5b equals 0
11. 1,871 Amount to be budgeted for private school services. (larger of lines 9 and 10 - determined on Save)



## Title II, Part A *continued*

**What if the public district doesn't want to provide professional development with IIA funds?**

- Private school core teachers must be provided professional development before the public district can flex or transfer funds or use funds for class size reduction or another Title II, Part A activity.





## Title II, Part A *continued*

### Does the professional development program for private school teachers have to be the same as the professional development program for public school teachers?

- No. Consultation and coordination are essential to ensuring high quality, sustained, intensive, and classroom-focused professional development activities.
- If the professional development needs of the private school teachers are different from those of the public school teachers, the district should develop a separate program in consultation with the private school representative.



## Title II, Part A *continued*

### May funds be used to pay stipends to private school teachers for professional development activities?

- Yes. Funds may be used to pay for stipends for private school educators.
- The use of the funds for stipends must be reasonable and necessary.
- Stipends must be paid directly to the private school teacher, not to their school.





## Title II, Part A *continued*

### May funds be used to pay for substitutes for private school teachers for professional development activities?

- No. Funds may be not used to pay for substitutes for private school educators.
- To provide a substitute, funds would have to be given directly to the private school which is prohibited.



## Title V, Part A Innovative Programs

Title VA is no longer available.

***There are no Title VA services available to either public or private schools.***





## Title V, Part A

### What shall public districts do with materials purchased with VA funds and sited in private schools?

- Public districts have two options concerning materials purchased with VA funds and sited in private schools.
- Prior to selecting an option, districts must engage in timely and meaningful **consultation** with private school officials
  - This ensures that the needs of private school students and teachers have been adequately addressed.



## Title V, Part A

### Public district options concerning VA materials located in private schools:

- **Option 1:** Allow materials to remain in a private school for the benefit of the school students under a continuing activity authorized by Title VA (even though VA no longer exists).
  - *If there is no continuing VA activity, the materials may be used for other activities currently or previously supported by the federal programs that the LEA is implementing for the benefit of the private school students.*
- **Option 2:** Sell at fair market value or otherwise dispose of materials placed in the private school.
  - In this case, the private school could purchase the materials.

***Private school officials must be consulted before the public district chooses either option.***





## Title VI– Flexibility and Accountability

If a district uses the **General Transferability** provision or the **REAP-Flex** authority, they must conduct consultations with private school officials prior to making any decision regarding the transfer or REAP-Flex of funds that could affect the private school's ability to benefit from programs for which they are eligible.



## Title VI– Flexibility and Accountability

### Affect of the flexibility authorities on serving private schools

- REAP-Flex Authority (*fewer than 600 students*)
  - Up to 100% of the allocation may be flexed
  - The equitable share must be **reserved** in the original program before REAP-Flex occurs.
- General Transferability Authority (*more than 600 students*)
  - The largest amount that can be transferred is 50%
  - The private school is served by **both** the original and the receiving program





## All Title Programs Supplement, not Supplant

### Non-Supplanting Rule:

- Expenditures must supplement, not supplant non-federal education funds.
- It is the responsibility of the public district to ensure that the private school does not supplant.



## Resources

### Federal Resources

- **Title I Services to Eligible Private School Students Guidance**  
<http://www.ed.gov/programs/titleiparta/psguidance.doc>
- **Ensuring Equitable Services to Private School Children  
A Title I Resource Tool Kit**  
<http://www.ed.gov/programs/titleiparta/ps/titleitoolkit.pdf>
- **Title II, Part A, Improving Teacher Quality Guidance**  
<http://www.ed.gov/programs/teacherqual/guidance.pdf>
- **Title IX, Part E, Uniform Provisions – Equitable Services to  
Eligible Private School Students, Teachers, and Other  
Educational Personnel, Non-Regulatory Guidance**  
<http://www.ed.gov/policy/elsec/guid/equitableseguidance.doc>





## Resources *continued*

### ***Federal Resources (Continued)***

- ***Guidance on the Rural Education Achievement Program (REAP-Flex Authority)***  
<http://www.ed.gov/policy/elsec/guid/reap03guidance.doc>
- ***Guidance on the Transferability Authority:***  
<http://www.ed.gov/programs/transferability/legislation.html>
- ***Federal Office of Non-Public Education***  
<http://www.ed.gov/about/offices/list/oii/nonpublic/index.html>



## Resources *continued*

### ***OPI Resources***

- ***OPI Services to Private/Nonpublic Students and Teachers***  
<http://www.opi.mt.gov/NonPub/Index.html>
- ***OPI Title I***  
<http://www.opi.mt.gov/TitleI/index.html>
- ***OPI Title II, Part A***  
<http://www.opi.mt.gov/TitleIIPartA/index.html>





## Contacts

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## Private School Participation in Title II, Part A

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## Questions?





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